

# HOUSE BILL 964

F4, F2

3lr0834  
CF SB 410

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By: **Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey, Luedtke, Stukes, Summers, F. Turner, Walker, and A. Washington**

Introduced and read first time: February 7, 2013

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2013

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Community Colleges – ~~Code Funding Formula~~ – Grants for English for**  
3 **Speakers of Other Languages Programs – Repeal of Total Amount Limitation**

4 FOR the purpose of removing the limit on the total amount of grants that may be  
5 distributed to certain community colleges to provide instruction and services to  
6 certain students enrolled in English for Speakers of Other Languages programs;  
7 and generally relating to grants for community colleges for English for Speakers  
8 of Other Languages programs.

9 BY repealing and reenacting, with amendments,  
10 Article – Education  
11 Section 16–305(e) and 16–508  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2012 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Education**

17 16–305.

18 (e) (1) (i) Beginning in fiscal year 1996, a grant in the amount  
19 provided in paragraph (2) of this subsection shall be distributed to each board in order

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 to provide instruction and services to students enrolled in an English for Speakers of  
2 Other Languages (“ESOL”) program.

3 (ii) To qualify for a grant under this subsection, each participant  
4 in the program shall be a student:

5 1. Born outside of the United States or whose native  
6 language is not English;

7 2. Who comes from an environment where a language  
8 other than English is dominant; or

9 3. Who is an American Indian or Alaskan native and  
10 comes from an environment where a language other than English has had a  
11 significant impact on the student’s level of English language proficiency.

12 (2) [(i) Subject to the provisions of subparagraph (ii) of this  
13 paragraph, the] **THE** amount of the grant shall be \$800 times the number of qualified  
14 full-time equivalent students who are enrolled in a county ESOL program and at the  
15 community college.

16 [(ii) 1. The total amount of the grants under this paragraph  
17 may not exceed \$6,000,000 for any fiscal year.

18 2. If, for any fiscal year, the total amount of the grants  
19 calculated under subparagraph (i) of this paragraph would exceed \$6,000,000, then  
20 each grant shall be prorated by the amount necessary to reduce the total amount of  
21 the grants to \$6,000,000.]

22 (3) (i) If the amount that is appropriated to a board under this  
23 subsection for any fiscal year is more than the actual cost of providing ESOL programs  
24 to students enrolled at the community college in that county or region, the excess  
25 funds shall be paid back to the State and credited to the General Fund of the State.

26 (ii) A board may not transfer State funds received under this  
27 subsection to any other program or category.

28 (4) [Subject to the provisions of paragraph (2) of this subsection, for]  
29 **FOR** any fiscal year in which the State appropriation is insufficient to fully fund all  
30 grants eligible under this section, the Governor shall include in the budget bill for the  
31 following fiscal year a deficiency appropriation to fund all unfunded grants.

32 16-508.

33 (a) (1) Beginning with fiscal year 1996, the Governor shall include in the  
34 annual budget submission a General Fund appropriation for Baltimore City

1 Community College in the amount provided in subsection (b) of this section to provide  
2 instruction and services to students enrolled in an English for Speakers of Other  
3 Languages (“ESOL”) program.

4 (2) To qualify for a grant under this section, each participant in the  
5 program shall be a student:

6 (i) Born outside of the United States or whose native language  
7 is not English;

8 (ii) Who comes from an environment where a language other  
9 than English is dominant; or

10 (iii) Who is an American Indian or Alaskan native and comes  
11 from an environment where a language other than English has had a significant  
12 impact on the student’s level of English language proficiency.

13 (b) [(1) Subject to the provisions of paragraph (2) of this subsection, the]  
14 THE amount of the grant shall be \$800 times the number of qualified full-time  
15 equivalent students who are enrolled in a Baltimore City Community College ESOL  
16 program, as certified by the Maryland Higher Education Commission.

17 [(2) The total amount of the grant under this subsection may not  
18 exceed \$1,000,000 for any fiscal year.]

19 (c) Baltimore City Community College may not transfer State funds received  
20 under this subsection to any other program or category.

21 (d) [Subject to the provisions of subsection (b) of this section, for] FOR any  
22 fiscal year in which the State appropriation is insufficient to fully fund all grants  
23 eligible under this section, the Governor shall include in the budget bill for the  
24 following fiscal year a deficiency appropriation to fund all unfunded grants.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 June 1, 2013.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.